

OLC 70-0890

30 December 1970

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT: Developments During Your Absence

1. CIA Retirement Act

You'll recall that Red White appeared before the full House Armed Services Committee, with Philbin in the chair, on 17 December and everything went smoothly; the bill was reported out the same day and was passed by the House on 21 December.

We have hit one technical snag since--although the Civil Service Commission initially raised no objection to our proposed language in the bill, they have now raised informally with us the question of whether the language constitutes adequate authorization for them to transfer to the Agency all of the retirement funds (roughly \$33 million) accumulated in the Civil Service system by Agency employees who have transferred from the Civil Service to the Agency system.

On 24 December, I called Representative Philbin in Massachusetts on this and he promised that, upon his return to Washington on about 30 December, he would do whatever was necessary to straighten it out--either by signing a letter to the Civil Service Commission or by inserting a clarifying statement in the Congressional Record.

2. Defense Appropriations Bill

After being referred to conference twice, the bill contains the language modifying the Fulbright amendment which we prepared in response to Mr. Mahon's request, with some modifications. The Fulbright amendment prohibited the support of Vietnamese or other free world forces in actions designed to provide military support and assistance to the governments of Cambodia or Laos. The Mahon amendment to it states that:

"...nothing contained in this section shall be construed to prohibit support of actions required to ensure the safe and orderly withdrawal or disengagement of U. S. forces from Southeast Asia or to aid in the release of Americans held as prisoners of war."

The implication of this language for the future will require careful analysis of the floor debates but it should be noted that Senator Stennis has stated that it does not alter the original Fulbright amendment.

3. Representative Paul Rogers

Per your instructions, I met with Representative Rogers on 21 December and explained that you had gotten the impression from a friend in Florida that he had some sort of problem with the Agency and we would like to find out what it was and try to clear it up. Mr. Rogers explained that he had no criticism of the Agency, and indeed thought very well of it, but he had on several occasions criticized the way Congress handled Agency matters, and he could only assume that it was this criticism that your friend referred to.

He said that on various occasions he had commented that our two House Subcommittees had not kept other members of the Congress adequately informed and did not keep a close enough watch on what the Agency was up to. He said he has

in the past, and will in the future, advocate the establishment of a joint watchdog committee, but this in no way constitutes a criticism of the way the Agency is doing its job. I explained that we had maintained a strictly "hands off" position on this question, feeling it is entirely up to Congress to decide how it wants to handle Agency matters. I said we would gladly cooperate in any arrangements which Congress decided upon.

In conclusion, I answered some of Mr. Rogers' questions about Cienfuegos, [redacted] on which he seemed confused. His attitude was cordial and apparently candid throughout.

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4. Briefings of Speaker McCormack

On 22 December Mr. Kissinger wrote you a memo saying the President wants Speaker McCormack to receive regular world situation briefings after his retirement. I gather there is no hurry about this, since it is visualized the briefings would be given only every couple months or so, and I have therefore waited for your return so that we could lay on the arrangements in accordance with your wishes. See Tab A.

5. Social Security Act Amendment - S. 2984

During your absence Congress passed a bill which would solve a special retirement problem for some of our contract employees and save us the costs of a special program to alleviate the problem. The law, although of general application, would permit some 2,000 Agency contract employees to get Civil Service retirement credit for certain contract service.

Previously, contract service after 1 January 1955 subject to Social Security taxes could not be credited for Civil Service retirement. We were considering a special annuity program with an estimated cost of \$1.6 million to overcome this inequity.

We helped nudge the bill along in OMB and in the House Ways and Means Committee through the Committee Counsel.

6. Senator Russell

According to our last word, Senator Russell's condition remains about the same. He is still at Walter Reed but gets up and around some each day and is able to do some work.

7. Congressional Briefings

is already assembling material for world roundup briefings of the new Congress.

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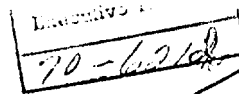
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John M. Maury
Legislative Counsel

Attachment:

Tab A - Memo from Kissinger

THE WHITE HOUSE
WASHINGTON



A

CONFIDENTIAL

December 22, 1970

MEMORANDUM FOR

DIRECTOR, CENTRAL INTELLIGENCE AGENCY

SUBJECT: Briefings for Speaker McCormack

The President has asked that Speaker McCormack receive regular briefings (every two months or so) on the world situation after he retires. He will be living in Washington.

Will you please make the necessary arrangements and let us know what you work out and when the briefings take place.

A handwritten signature in dark ink, appearing to read "H. Kissinger".

Henry A. Kissinger

CONFIDENTIAL

30 December 1970

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT: Developments During Your
Absence--Addendum

At the Rivers' funeral, I had an opportunity to speak separately to both Frank Slatinshek and Chairman Philbin regarding the problem of the transfer of Government contributions from the Civil Service retirement fund to the Agency fund. Both of them said that they had looked into the matter--that they saw no problem and assured me they would take care of it.



Wax John M. Maury
Legislative Counsel

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